

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CALVIN ROBINSON, JR.,

Plaintiff,

Case No. 20-cv-10499

Hon. Matthew F. Leitman

v.

RYAN CHAPKO, et al.,

Defendants.

/

**ORDER (1) ADOPTING RECOMMENDED DISPOSITION
OF REPORT AND RECOMMENDATION (ECF No. 19),
AND (2) DISMISSING, IN PART, PLAINTIFF'S COMPLAINT
AND AMENDED COMPLAINT (ECF Nos. 1, 5.)**

On February 27, 2020, Plaintiff Calvin Robinson filed a *pro se* and *in forma pauperis* complaint in this Court against Defendant Ryan Chapko, a Clayton Township police officer, the Clayton Township Police Department, the Flushing Township Police Department, and the City of Flushing Police Department. (*See* ECF No. 1.) In his complaint, Robinson alleges civil rights violations under 42 U.S.C. § 1983. (*See id.*)

On October 2, 2020, the assigned Magistrate Judge issued a Report and Recommendation in which he recommended that the Court dismiss Plaintiff's complaint in part (the "R&R"). (*See* ECF #19.) Specifically, the Magistrate recommended that Robinson's complaint be dismissed as against Defendants Clayton Township Police Department, Flushing Township Police Department, and the City of Flushing Police Department, pursuant to 28 U.S.C. § 1915(e)(2)(B), for failure to state a claim upon which relief may be granted. The Magistrate Judge recommended that with the dismissal

of the aforementioned Defendants, the sole remaining Defendant in this case would be Ryan Chapko. (*See id.*, PageID.48.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of the recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.* PageID.48-49.)

Robinson has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). Likewise, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Robinson has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommended disposition of the pending motions is **ADOPTED**.

IT IS FURTHER ORDERED that the claims against Defendants Clayton Township Police Department, Flushing Township Police Department, and the City of Flushing Police Department are **DISMISSED**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 21, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 21, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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